

TOWN OF DAVIE
PLANNING AND ZONING DEPARTMENT
PLANNING REPORT

April 7, 1999

SUBJECT: Variance V 3-3-99

APPLICANT: Kevin Ford, Pool Builders, petitioners / Ralph and Mary Murphy, owners

ADDRESS/LOCATION: 2881 Hidden Hollow Lane / within Forest ridge Single Family IV

LAND USE PLAN/ZONING: Residential (3.6 du/ac) / PRD-3.6

VARIANCE REQUEST: **From:** Section 12-33(HH which requires a minimum side setback of 7.5 feet for screen enclosed patios;
 To: Reduce the required side setback from 7.5 feet to 6.5 feet.

ANALYSIS: The subject site is 8,250 square foot lot containing a single family home with swimming pool under construction. The lot is bound on the north, east, and west by similarly developed single family homes within the same community zoned PRD-3.6. The petitioner is requesting a reduction in the required side yard to construct a screen enclosure encroaching 1' into the required side setback caused by a construction error in the placement of the swimming pool.

Where applicable, the review of a variance request should include consideration of the criteria noted in Section 12-309 of the Land Development Code which is attached hereto and made a part hereof.

Comprehensive Plan Policy 25-2 provides that land development regulations shall establish setback, separation, and buffer yard requirements to enhance living and working environments. Accessory structure setbacks are intended to provide a desirable separation of uses and are dimensioned to be reflective of district intensity and open space characteristics.

The subject property is similar in depth and area of adjacent properties which have been developed consistent with district regulations. While the requested variance represents only a 13% reduction in the required setbacks, special circumstances do not apply to this property that would preclude a reasonable use of the property in accord with district setback standards.

RECOMMENDATION: The Development Services Department therefore recommends **DENIAL** of the requested variance to reduce the required side yard from 7.5 feet to 6.5 feet.

PLANNING AND ZONING BOARD RECOMMENDATION: Motion to recommend **APPROVAL** subject to obtaining homeowners association approval (5-0), April 14, 1999.

EXISTING ZONING: PRD 3.6
CODE SECTION:

PROPOSED ZONING:
CODE SECTION:

LAND USE DESIGNATION: Residential

FOLIO NUMBER _____

TOWN OF DAVIE USE ONLY	
PETITION NO.	<u>V 3-3-99</u>
FEE.	<u>\$400.00</u>
RECEIPT NO.	<u>7465</u>

TOWN OF DAVIE
VARIANCE APPLICATION

(NOTE: INFORMATION MUST BE TYPED AND NOTARIZED)
Make Checks payable to TOWN OF DAVIE

DATE FILED: 03/10/99

PHONE: 954 797-7700

PETITIONER: Pool Builders, Inc.

MAILING ADDRESS: 5601 SW 45th Street Davie Florida 33314

RELATIONSHIP TO PROPERTY:

OWNER: Murphy

MAILING ADDRESS: 2881 Hidden Hollow Lane Davie Florida

ADDRESS OF PROPERTY: 2881 Hidden Hollow Lane Davie Florida

LEGAL DESCRIPTION: (Certified Sealed Boundary Survey to include statement of amount of acreage involved MUST be submitted with application):

ACREAGE:

REQUEST: Reduce side set-backs from 7.5 feet to 6.5 feet.

REASON FOR REQUEST: (attach additional sheet as necessary)

See attached.

* * * PETITIONER MUST BE PRESENT IN ORDER FOR ACTION TO BE TAKEN * * *

OFFICE USE ONLY

APPROVED AS TO FORM: Jat PUBLICATION DATE: 3/31/99
MEETING DATE: PLANNING AND ZONING BOARD: 4/14/99 TOWN COUNCIL: 5/5/99
NOTICES SENT: 79 REPLIES: FOR: _____ AGAINST: _____
UNDELIVERABLE: 1

Ralph & Mary Murphy

OWNER'S NAME(S)

maria j. murphy
mc10-540-57-630-0

OWNER'S SIGNATURE (ALL OWNERS MUST SIGN)

Ralph Murphy
mc10-727-47-208-0

ADDRESS 2881 Hidden Hollow Lane

Davie Florida 33328

CITY, STATE, ZIP

424-3163

PHONE

The foregoing instrument was acknowledged before me
this 10 day of March, 1999, by
Mary & Ralph Murphy who is personally
known to me or who has produced DRIVERS ID.

as identification and who did take an oath.

NOTARY PUBLIC:

Sign:

Print:

My Commission Expires:



Kevin Ford

PETITIONER'S NAME

PETITIONER'S SIGNATURE

5601 SW 45th Street

ADDRESS

Davie Florida 33314

CITY, STATE, ZIP

797-7700

PHONE

The foregoing instrument was acknowledged before me
this 10 day of March, 1999, by
KEVIN who is personally
known to me or who has produced _____

as identification and who did take an oath.

NOTARY PUBLIC:

Sign:

Print:

My Commission Expires:



OFFICE USE ONLY

PLANNING AND ZONING BOARD RECOMMENDATION:

04/14/99 - approval subject to obtaining homeowners association approval



RECEIVED
MAR 10 1999

TOWN OF DAVIE
PLANNING & ZONING DEPARTMENT

March 10, 1999

Town of Davie
Zoning Department

Davie, FL 33314

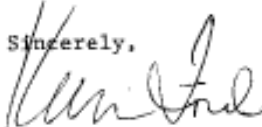
Re: Variance Application for Murphy, 2881 Hidden Hollow Lane, Davie

To whom it may concern:

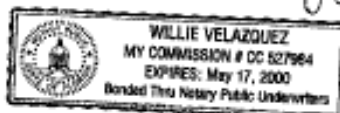
This letter is to request an extension to the pool deck 1 foot past the residence on the West side of the property. The original engineered plans and contract called for the pool deck to be three foot from the water's edge to the edge of the patio. The pool however, was inadvertently constructed 1 foot West of the proposed location, thereby only allowing two feet of patio from the water's edge to the edge of the patio. Since the homeowners are also having a screen enclosure installed by another contractor, they desire to maintain a minimum distance of three feet.

Please give this request your utmost consideration since this hardship was not created by the homeowner and there is no other viable solution.

Sincerely,


Kevin Ford
President

KF:jh



PROBABLY RAIN/TO BE



5601 S.W. 45th Street (Orange Drive) • Davie, Florida 33314
Broward (954) 797-7700 • Boca Raton (561) 392-2690 • Fax (954) 797-7768
#CPC026501 #CPC056653



T.M. LARSEN & P. LAUGHLIN ENGINEERING CO., INC.
 401 W. 11th St., Des Moines, IA 50319
 CONCRETE, CEMENT, GLENN, ELEVATIONS
 ETC. POINT OF CURVE, 100' LONG, 100' STATED
 SCALE: 1" = 30'
 0 = PARKERS

CERTIFICATE OF SURVEY

Lot 4, FOREST RIDGE - THE HOLLOW, according to
 the plat thereof, as recorded in Plat Book 155,
 Page 11, of the public records of Broward County,
 Florida.

TOWN OF DAVIS
 BROWARD COUNTY, FLORIDA

Certified correct. Dated at Fort Lauderdale,
 Florida, this 4th day of March, 1993.
 A. LARSEN & P. LAUGHLIN ENGINEERING CO., INC.

This survey meets the minimum technical standards as set
 forth by the Florida Board of Professional Land Surveyors in
 Chapter 11S-10, Florida Administrative Code, pursuant to
 Section 472.027, Florida Statutes.

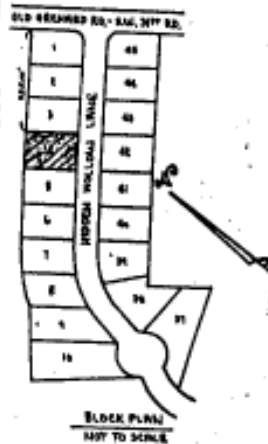
Survey made and elevations taken this 27th day of May,
 1993.

REMARKS: FOR FINAL BUILDING LOCATION THIS LOT 4 OF HOLLOW, 1993.

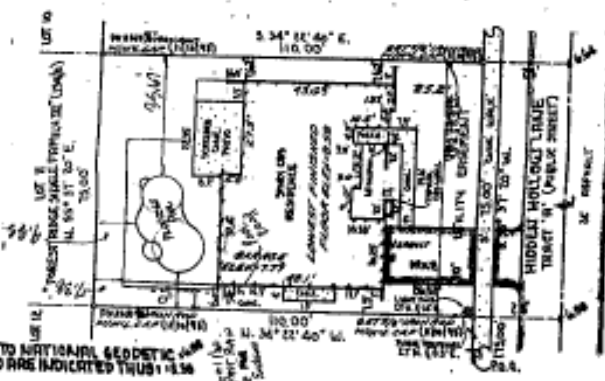
CERTIFIED TO: Ralph Murphy and Mary J. Murphy;
 Glendale Federal Bank, FSB, a Federal Savings Bank;
 Smith & Hiett, P.A.; Attorneys' Title Insurance
 Fund, Inc. this 13th day of December, 1993.

ADDRESS: 2881 Hidden Hollow Lane,
 Davis, FL 33328.

Revised to add certification and address
 this 13th day of December, 1993.



88



ELEVATIONS SHOWN REFER TO NATIONAL GEODETIC
 VERTICAL DATUM (1984) AND ARE INDICATED THUS: 1984

REFERENCE BEACH MARK: BROWARD COUNTY SOUTH
 BEACH, 100' CORNER, 100' CORNER, 100' CORNER
 100' CORNER, 100' CORNER, 100' CORNER

THIS PROPERTY LIES IN FLOOD ZONE 'A' WITH ELEVATION PER
 FLOOD INSURANCE RATE MAP NO. 10010-0001, COMMUNITY
 NO. 10010, DATED 8/1/91.

BEARINGS SHOWN REFER TO RECORD PLAT (10/1/91).

THIS SURVEY REFLECTS ALL ENCUMBRANCES AND RIGHT-OF-
 WAY AS SHOWN ON THE ABOVE REFERENCED RECORD
 PLAT. THE SUBJECT PROPERTY WAS NOT ABSTRACTED FOR
 OTHER ENCUMBRANCES, ROAD RESERVATIONS, OR RIGHT-OF-
 WAY OF RECORD BY P. LAUGHLIN ENGINEERING CO.

P. Laughlin Engineering Co.

ROBERT C. P. LAUGHLIN, REGISTERED LAND
 SURVEYOR NO. 3336, STATE OF FLORIDA

Not Valid Unless Sealed with an embossed Surveyors Seal
 UNDERGROUND IMPROVEMENTS, IF ANY, NOT LOCATED.

FIELD BOOK No. 1-2-29
 JOB ORDER No. 1-2-29, 1-2-29, 1-2-29, 1-2-29

DRAWN BY: [Signature]
 CHECKED BY: [Signature]

